

## **§ 101-42.404**

to purchasers of hazardous materials with their notice of award.

(e) Unless authorized by the appropriate GSA regional office, a holding agency shall not sell extremely hazardous property unless the property is rendered innocuous or adequate safeguards are provided. Such property shall be rendered innocuous in a manner so as to preserve the utility or commercial value of the property.

### **§ 101-42.404 Special requirements for the sale of hazardous materials.**

Special sales requirements for certain hazardous materials are provided in § 101.42.1102. Hazardous items generally require special storage and handling. It is the responsibility of the holding agency to properly store hazardous items, to provide all necessary information to ensure that prospective bidders are informed of hazards, and to list the precautions bidders should take to protect themselves.

### **§ 101-42.405 Transportation of hazardous materials.**

The transportation of hazardous materials is governed by the hazardous materials regulations (49 CFR parts 170-180) issued by the Department of Transportation. Except as otherwise provided below, an agency official, prior to the transportation of hazardous materials, shall certify on the shipping document, based on his/her own examination, that the materials are properly classified, described, packaged, marked, and labeled and are in proper condition for transportation in accordance with the hazardous materials regulations. The shipper shall provide such certification in duplicate and give one copy to the originating carrier and retain the other for no less than 1 year. Hazardous materials sold by the Department of Defense (DOD) in packings not marked under the hazardous materials regulations may be shipped from DOD installations, provided DOD certifies in writing on a certificate or equivalency (COE) that the packing meets or exceeds requirements of the hazardous materials regulations.

## **41 CFR Ch. 101 (7-1-12 Edition)**

### **§ 101-42.406 Abandonment or destruction of surplus hazardous materials and certain categories of property.**

In addition to the requirements for the abandonment or destruction of surplus property prescribed in subpart 101-45.9, hazardous materials, including empty hazardous material containers, shall be abandoned or destroyed under Federal, State, and local waste disposal and air and water pollution control standards. Additional requirements for the abandonment and destruction of certain specific hazardous materials are contained in § 101-42.1102.

### **Subparts 101-42.5—101-42.10 [Reserved]**

### **Subpart 101-42.11—Special Types of Hazardous Materials and Certain Categories of Property**

#### **§ 101-42.1100 Scope of subpart.**

This subpart prescribes disposal procedures for certain hazardous items and lists specific Federal supply classes which may contain hazardous items.

#### **§ 101-42.1101 Federal supply classification (FSC) groups and classes which contain hazardous materials.**

(a) Hazardous material identification is required for all material which, by virtue of its potentially dangerous nature, requires controls to assure adequate safety to life, property, and the environment, and which is therefore defined as a hazardous material.

(b) The tables in paragraph (c) of this section list those FSC classes composed predominantly of hazardous materials and those FSC classes which contain a significant number of hazardous materials. Those classes that contain munitions list items (MLI) which require demilitarization are not identified in the tables because the items in those classes must be identified by the appropriate demilitarization code and processed under the procedures in § 101-42.1102-8.

(c) The tables as listed in Federal standard 313 are as follows: